

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LIVE FACE ON WEB, LLC,

Plaintiff,

-against-

BF ADVANCE, LLC,
JOSEPH COHEN,

Defendants.
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AMON, United States District Judge:

Plaintiff brought an action for violation of the Copyright Act, 17 U.S.C. § 501 *et seq.*, on December 30, 2015, against BF Advance, LLC and any John Doe defendants owning or controlling the BF Advance website ("*LFOW I*"). (15-CV-7415 D.E. # 1.) On September 15, 2016, Plaintiff moved to amend its Complaint to add Joseph Cohen as a defendant and eliminate the John Doe defendants. (*LFOW I* D.E. #29; D.E. #30 (order granting motion to amend).) Plaintiff then commenced a separate action ("*LFOW II*"), bringing the same Copyright Act claims against Molly Cohen. (17-CV-1171 D.E. #1.) On February 6, 2018, Plaintiff notified the Court that both actions had settled. (*LFOW I* and *LFOW II* orders dated Feb. 6, 2018.) The parties filed joint stipulations of dismissal with prejudice on February 14, 2018, (*LFOW I* D.E. # 103; *LFOW II* D.E. # 25), and both cases were closed on February 16, 2018. Then, on October 19, 2018, Plaintiff filed a motion in both cases to enforce the settlement agreement, (*LFOW I* D.E. # 106; *LFOW II* D.E. # 27), and the Court referred the motion to the Honorable Sanket J. Bulsara, United States Magistrate Judge, for a Report and Recommendation ("R&R"). On August 5, 2019, Magistrate Judge Bulsara submitted a Report and Recommendation ("R&R") recommending that the Court deny Plaintiff's motions for costs and fees. (*LFOW I* D.E. # 114; *LFOW II* D.E. # 29.)

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AUG 30 2019 ★

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NOT FOR PUBLICATION

ORDER

15-CV-7415 (CBA) (SJB)

17-CV-1171 (CBA) (SJB)

No party has objected to the R&R, and the time for doing so has passed. When deciding whether to adopt a report and recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). To accept those portions of the R&R to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (internal quotation marks and citation omitted).

The Court has reviewed the record and, finding no clear error, adopts the R&R as the opinion of the Court. Accordingly, the Court denies Plaintiff’s requests for costs and fees.

SO ORDERED.

Dated: August ²⁹, 2019
Brooklyn, New York

s/Carol Bagley Amon

Carol Bagley Amon
United States District Judge